



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—मध्य उप-विभाग

वर्ष १०, अंक ४४(२)]

सोमवार, सप्टेंबर ९, २०२४/भाद्रपद १८, शके १९४६

[पृष्ठे ७, किंमत : रुपये ४.००]

असाधारण क्रमांक ८९

प्राधिकृत प्रकाशन

नगर विकास विभाग

४ था मजला, मुख्य इमारत, मंत्रालय, मादाम कामा मार्ग,
हुतात्मा राजगुरु चौक, मुंबई ४०० ०३२, दिनांक ५ सप्टेंबर २०२४

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६

क्र. टिपीएस १८२४/२२५/प्र.क्र.९६/२०२४/नवि-१३.— ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका व काही नियोजन प्राधिकरणे वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता लागू करावयाच्या एकत्रीकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस (युडीसीपीआर) (यापुढे ज्याचा उल्लेख “उक्त नियमावली” असा करण्यात आलेला आहे) महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आलेला आहे) मधील तरतुदीनुसार, शासन अधिसूचना क्र. टिपीएस-१८१८/प्र.क्र.२३६/१८/ वियो. व प्रायो./कलम ३७ (१कक) (ग) व कलम २०(४)/नवि-१३. दिनांक २ डिसेंबर २०२० अन्वये मंजुरी दिली असून ती दिनांक ३ डिसेंबर २०२० पासून अंमलात आली आहे ;

आणि ज्याअर्थी, उक्त नियमावलीमध्ये विनियम क्र. ११.२.५ यामध्ये Transferable Development Rights (TDR) against Construction of Amenity या विनियमाबाबत तरतुदी अंतर्भूत करण्यात आलेल्या असून (यापुढे ज्याचा उल्लेख “उक्त तरतुदी” असा करण्यात आलेला आहे) उक्त तरतुदीच्या अनुषंगाने राज्यातील नियोजन प्राधिकरणांना उक्त तरतुदीची अंमलबजावणी करताना काही अडचणी येत असल्याचे शासनाच्या निदर्शनास आले आहे ;

आणि ज्याअर्थी, मंजूर UDCPR मध्ये सर्व प्रकारच्या इमारतीच्या बाबतीत Construction Amenity TDR आकारणी करताना उक्त नियमावलीतील विनियम क्र. ११.२.५ ही तरतुद सोबतच्या परिशिष्ट “अ” नुसार, सुधारित करणे आवश्यक आहे (यापुढे ज्याचा उल्लेख “उक्त प्रस्तावित फेरबदल” असा करण्यात आलेला आहे) असे शासनाचे मत झाले आहे ;

आणि ज्याअर्थी, शासनाने उक्त अधिनियमाच्या कलम ३७(१कक)(क) व २०(३) मधील तरतुदीप्रमाणे शासनास प्राप्त अधिकारांचा वापर करून सूचना क्र. टिपीएस-१८२४/२२५/प्र.क्र.२८/२०२४/नवि-१३, दिनांक ५ मार्च २०२४ रोजी प्रसिद्ध करून

सुचनेसोबत जोडलेल्या “परिशिष्ट-अ” मध्ये नमूद केलेनुसार, उक्त प्रस्तावित फेरबदलाच्या अनुषंगाने आम जनतेकडून सूचना/हरकती मागविल्या आहेत आणि संबंधितांची सुनावणी घेऊन शासनाकडे उक्त अधिनियमाच्या कलम ३७(१कक)(क) व २०(३) मधील तरतुदीप्रमाणे नमूद वैधानिक कार्यवाही पूर्ण करून अहवाल सादर करण्यासाठी शासनाने संबंधित विभागीय सहसंचालक, नगर रचना यांची ‘अधिकारी’ म्हणून नियुक्ती केली आहे. (यापुढे ज्याचा उल्लेख ‘उक्त अधिकारी’ असा करण्यात आलेला आहे);

आणि ज्याअर्थी, उक्त दिनांक ५ मार्च २०२४ रोजीची सूचना **महाराष्ट्र शासन राजपत्र** असाधारण भाग-१, कोकण विभागीय पुरवणी मध्ये, दिनांक ०७ मार्च, २०२४ मध्ये पृष्ठ क्र.०१-२९ वर प्रकाशित करण्यात आली होती आणि उक्त अधिकारी यांनी त्यांचा आपला अहवाल उक्त अधिनियमाच्या कलम ३७(१ क क) आणि २०(३) अंतर्गत विहित केलेली वैधानिक कार्यवाही पूर्ण केल्यानंतर संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेमार्फत शासनास सादर केला आहे ;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांचे अहवाल विचारात घेतल्यानंतर आणि संचालक, नगर रचना महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर उक्त प्रस्तावित फेरबदल, काही सुधारणांसह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे ;

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७ (१कक) (ग) आणि कलम २०(४) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन याद्वारे :-

(अ) उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील नियमावलीतील एकात्मिक नगर वसाहतीचे विनियम क्र.१४.१ यामधील प्रस्तावित फेरबदलांना काही सुधारणांसह, (सोबतच्या परिशिष्ट-अ मध्ये सविस्तरपणे नमूद केल्याप्रमाणे) मंजूरी देत आहे.

(ब) सदर मंजूर फेरबदल, सदर अधिसूचना शासन राजपत्रात प्रसिध्द झाल्याच्या दिनांकापासून अंमलात येईल, असे निश्चित करित आहे.

सदरची अधिसूचना, कामकाजाचे दिवशी एक महिन्याच्या कालावधीकरीता जनतेच्या अवलोकनार्थ सर्व संबंधित नियोजन प्राधिकरणे आणि नगर रचना आणि मुल्यनिर्धारण विभागाची जिल्हा कार्यालये या कार्यालयांमध्ये उपलब्ध राहिल.

ही अधिसूचना शासनाचे संकेतस्थळ www.maharashtra.gov.in (कायदे / नियम) वर उपलब्ध राहिल.

परिशिष्ट-अ

शासन नगर विकास विभागाकडील अधिसूचना क्र.टिपीएस-१८२४/२२५/प्र.क्र.१६/२०२४/नवि-१३, दि.०५.०९.२०२४

मंजूर एकात्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील विनियम क्र.11.2.5 Transferable Development Rights (TDR) against Construction of Amenity

या विद्यमान तरतुदीमध्ये सुधारणा

Sr. No.	Regulation No.	Regulation in Sanctioned UDCPR	Sanctioned Regulation as per Notification dt.05.09.2024
1	11.2.5	<p>Construction Amenity TDR in Sq.m. = A / B * 2.00 Where,</p> <p>A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.)</p> <p>B = land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p>	<p>Construction Amenity TDR in Sq.m. = A/B *1.35 Where,</p> <p>A = Cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furthers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.)</p> <p>The cost of any movable items should not be considered for the calculation of cost of construction of amenity.</p> <p>B= land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p>

		<p>In case of buildings like auditorium, assembly etc. wherein height of building is more, cost of the building may be worked out from the Public Works Departments per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p>	<p>Conditions :</p> <p>i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority.</p> <p>ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project.</p> <p>iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisit procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.</p>
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महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

डॉ. प्रतिभा भदोनी,
शासनाचे सहसचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 5th September 2024

NOTIFICATION

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.TPS-1824/225/CR.96/2024/UD-13.— Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations (UDCPR)(hereinafter referred to as "the said Regulations") for the state except Municipal Corporation of Greater Mumbai, and some Planning Authorities under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") *vide* Notification No.TPS-1818/CR.238/18/DP. and RP./Sec.37 (1AA) (c) and sec.20(4)/UD-13, dated 2nd December 2020;

And whereas, the said Regulation No.14.1, is regarding Integrated Township Project (ITP) (hereinafter referred to as "the said provisions") and it has been observed by the Government that there are some difficulties to the developers for the proper implementation of the said provisions ;

And whereas, the State Government has received some applications for the proper implementation of Integrated Township Project (ITP) and therefore, in such circumstances the State Government is of the opinion that it is necessary, to make certain changes in the Regulation No.14.1 for the Integrated Township Project (hereinafter referred to as "the said proposed the modification) ;

And whereas, in exercise of the powers conferred under section 37(1AA) and 20(3) of the said Act and all other powers enabling in that behalf, the Government has published a Notice No.TPS-1821/452/CR.105/2022/(Part-2)/UD-13 dated 5th March 2024 for inviting suggestions / objections from general public in respect to the Proposed Modification as mentioned in the Schedule-A appended to the said notice and appointed the concerned Divisional Joint Director of Town Planning as an 'Officer' (hereinafter referred to as 'the said Officer') to completed procedure as stipulated under section 37(1AA) and 20(3) of the said Act and to submit report on the objections/suggestions received in respect of the Proposed Modification to the Government after giving hearing to the concerned persons ;

And whereas, the said Notice dated 05.03.2024 was published in the *Maharashtra Government Gazette Extra Ordinary Part-1*, Kolan Division dated 7th March 2024 in the Page No.01–29 and the said Officers have submitted their report to government through the Director of Town Planning. Maharashtra State, after completing the legal procedure stipulated under Section 37(1AA) and 20(3) of the said Act ;

And whereas, after considering the report of the said Officers and after consulting the Director of Town Planning. Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with certain changes.

Now therefore, in exercise of the powers conferred upon it under section 37(1AA)(a) and 20(4) of the said Act, the Government hereby :—

(A) Sanctions the proposed modification in the Unified Development Control and Promotion Regulations (UDCPR) in respect of the Regulation No.14.1, regarding Integrated Township Project (ITP) as described more specifically in the Schedule-A appended herewith.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

This Notification shall be kept open inspection to the general public in the office of all concerned Planning Authorities and District Offices of Town Planning and Valuation Department for the period of one month, on all working days.

This Notification is also available on the Government website www.maharashtra.gov.in (Acts / Rules)

परिशिष्ट-अ

शासन नगर विकास विभागाकडील अधिसूचना क्र.टिपीएस-१८२४/२२५/प्र.क्र.९६/२०२४/नवि-१३, दि.०५.०९.२०२४

मंजूर एकात्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील विनियम क्र.11.2.5 Transferable Development Rights (TDR) against Construction of Amenity

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		<p>In case of buildings like auditorium, assembly etc. wherein height of building is more, cost of the building may be worked out from the Public Works Departments per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p>	<p>Conditions :</p> <p>i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority.</p> <p>ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project.</p> <p>iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisit procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.</p>
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By order and in the name of the Governor of Maharashtra,

DR. PRATIBHA BHADANE,
Joint Secretary to Government.